

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PERRY CIRAULU, Individually and on	:	Civil Action No. 1:14-cv-08659-AKH
Behalf of All Others Similarly Situated,	:	
	:	<u>CLASS ACTION</u>
Plaintiff,	:	
	:	
vs.	:	
	:	
AMERICAN REALTY CAPITAL	:	
PROPERTIES, INC., et al.,	:	
	:	
Defendants.	:	
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BERNARD PRIEVER, Individually and on	:	Civil Action No. 1:14-cv-08668-AKH
Behalf of All Others Similarly Situated,	:	
	:	<u>CLASS ACTION</u>
Plaintiff,	:	
	:	
vs.	:	
	:	
AMERICAN REALTY CAPITAL	:	
PROPERTIES, INC., et al.,	:	
	:	
Defendants.	:	
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[Caption continued on following page.]

TIAA-CREF'S NOTICE OF MOTION AND MOTION FOR CONSOLIDATION,
APPOINTMENT AS LEAD PLAINTIFF AND APPROVAL OF LEAD PLAINTIFF'S
SELECTION OF LEAD COUNSEL

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STUART RUBINSTEIN, Individually and on	:	Civil Action No. 1:14-cv-08669-AKH
Behalf of All Others Similarly Situated,	:	
	:	<u>CLASS ACTION</u>
Plaintiff,	:	
	:	
vs.	:	
	:	
AMERICAN REALTY CAPITAL	:	
PROPERTIES, INC., et al.,	:	
	:	
Defendants.	:	
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KEVIN PATTON, Individually and on Behalf	:	Civil Action No. 1:14-cv-08671-AKH
of All Other Persons Similarly Situated,	:	
	:	<u>CLASS ACTION</u>
Plaintiff,	:	
	:	
vs.	:	
	:	
AMERICAN REALTY CAPITAL	:	
PROPERTIES, INC., et al.,	:	
	:	
Defendants.	:	
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JAMES W. EDWARDS, JR., Individually and	:	Civil Action No. 1:14-cv-08721-AKH
on Behalf of All Others Similarly Situated,	:	
	:	<u>CLASS ACTION</u>
Plaintiff,	:	
	:	
vs.	:	
	:	
AMERICAN REALTY CAPITAL	:	
PROPERTIES, INC., et al.,	:	
	:	
Defendants.	:	
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BERNEY HARRIS, Individually and on	:	Civil Action No. 1:14-cv-08740-AKH
Behalf of All Others Similarly Situated,	:	
	:	<u>CLASS ACTION</u>
Plaintiff,	:	
	:	
vs.	:	
	:	
AMERICAN REALTY CAPITAL	:	
PROPERTIES, INC., et al.,	:	
	:	
Defendants.	:	
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SIMON ABADI, on Behalf of Himself and All	:	Civil Action No. 1:14-cv-09006-AKH
Others Similarly Situated,	:	
	:	<u>CLASS ACTION</u>
Plaintiff,	:	
	:	
vs.	:	
	:	
AMERICAN REALTY CAPITAL	:	
PROPERTIES, INC., et al.,	:	
	:	
Defendants.	:	
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TO: ALL PARTIES AND THEIR COUNSEL OF RECORD

PLEASE TAKE NOTICE that proposed lead plaintiff, TIAA-CREF, will move this Court, on a date and time as may be designated by the Court, at 500 Pearl Street, New York, NY 10007, for an order: (1) consolidating the seven related actions pursuant to Rule 42(a) of the Federal Rules of Civil Procedure; (2) appointing TIAA-CREF as lead plaintiff pursuant to the Private Securities Litigation Reform Act of 1995, 15 U.S.C. §78u-4(a)(3)(B); and (3) approving TIAA-CREF's selection of Robbins Geller Rudman & Dowd LLP as lead counsel.¹ In support of this motion, TIAA-CREF submits the accompanying Memorandum of Law, the Declaration of Samuel H. Rudman and a [Proposed] Order.

DATED: December 29, 2014

ROBBINS GELLER RUDMAN
& DOWD LLP
SAMUEL H. RUDMAN
DAVID A. ROSENFELD

s/ Samuel H. Rudman
SAMUEL H. RUDMAN

58 South Service Road, Suite 200
Melville, NY 11747
Telephone: 631/367-7100
631/367-1173 (fax)
srudman@rgrdlaw.com
drosenfeld@rgrdlaw.com

¹ "TIAA-CREF" collectively refers to Teachers Insurance and Annuity Association of America ("TIAA"), College Retirement Equities Fund ("CREF"), TIAA-CREF Equity Index Fund, TIAA-CREF Real Estate Securities Fund, TIAA-CREF Large Cap Value Index Fund, TIAA-CREF Small Cap Blend Index Fund, TIAA-CREF Life Real Estate Securities Fund, and TIAA-CREF Life Equity Index Fund.

ROBBINS GELLER RUDMAN
& DOWD LLP
DARREN J. ROBBINS
MICHAEL J. DOWD
JASON A. FORGE
DANIELLE S. MYERS
655 West Broadway, Suite 1900
San Diego, CA 92101-8498
Telephone: 619/231-1058
619/231-7423 (fax)
darrenr@rgrdlaw.com
miked@rgrdlaw.com
jforge@rgrdlaw.com
dmyers@rgrdlaw.com

[Proposed] Lead Counsel for
TIAA-CREF and the Class

CERTIFICATE OF SERVICE

I hereby certify that on December 29, 2014, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on December 29, 2014.

s/ Samuel H. Rudman

SAMUEL H. RUDMAN

ROBBINS GELLER RUDMAN

& DOWD LLP

58 South Service Road, Suite 200

Melville, NY 11747

Telephone: 631/367-7100

631/367-1173 (fax)

E-mail: srudman@rgrdlaw.com

Mailing Information for a Case 1:14-cv-08659-AKH

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Kevin Koon-Pon Chan**
kchan@rosenlegal.com
- **Geoffrey Coyle Jarvis**
gjarvis@gelaw.com,cnevers@gelaw.com,tschuster@gelaw.com,jkairis@gelaw.com
- **Jeremy Alan Lieberman**
jalieberman@pomlaw.com,lpvega@pomlaw.com
- **Francis Paul McConville**
fmconville@pomlaw.com

Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)